

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case
01-CA-169426Date Filed
FEB 10, 2016

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer

Bridgewater Associates, LP

b. Tel. No. 203.226.3030

c. Cell No.

f. Fax No.

d. Address (Street, city, state, and ZIP code)

1 Glendinning Place

Westport, CT 06880

e. Employer Representative

David McCormick

g. e-Mail

h. Number of workers employed
1100

i. Type of Establishment (factory, mine, wholesaler, etc.)

Hedge Fund

j. Identify principal product or service

Institutional Asset Management

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (4)

of the National Labor Relations Act, and these unfair labor

practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

On about (b) (6), (b) (7)(C) 2016, the Employer suspended its employee, (b) (6), (b) (7)(C) publicly humiliated (b) (6), (b) (7)(C) by escorting (b) (6), (b) (7)(C) out of the facility and searching (b) (6), (b) (7)(C) in front of coworkers, and engaged in other unlawful conduct, in retaliation for (b) (6), (b) (7)(C) threat to file a charge with the Board.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)

4a. Address (Street and number, city, state, and ZIP code)

(b) (6), (b) (7)(C)

4b. Tel. No. (b) (6), (b) (7)(C)

4c. Cell No.

4d. Fax No.

4e. e-Mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Tel. No. (212) 257-6800

Office, if any, Cell No.

Fax No.

e-Mail

sgrubin@wigdorlaw.com

By 
(signature of representative or person making charge)

Scott Grubin, Attorney

(Print/type name and title or office, if any)

Address Wigdor LLP, 85 Fifth Ave, 5th FL, New York, NY 10003

2/10/16
(date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 34
450 Main St Ste 410
Hartford, CT 06103-3078

Agency Website: www.nlrb.gov
Telephone: (860)240-3522
Fax: (860)240-3564



Download
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February 10, 2016

David McCormick
Bridgewater Associates, LP
1 Glendinning Place
Westport, CT 06880-1242

Re: Bridgewater Associates, LP
Case 01-CA-169426

Dear Mr. McCormick:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney ALAN MERRIMAN whose telephone number is (860)240-4980. If this Board agent is not available, you may contact Supervisory Attorney THOMAS E. QUIGLEY whose telephone number is (860)240-3375.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

February 10, 2016

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Michael C. Cass". The signature is written in a cursive, flowing style.

MICHAEL C. CASS
Officer in Charge

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

Revised 3/21/2011

NATIONAL LABOR RELATIONS BOARD

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

01-CA-169426

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

2. TYPE OF ENTITY

☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)

3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).

7. A. PRINCIPAL LOCATION:

B. BRANCH LOCATIONS:

8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.

I. Did you begin operations within the last 12 months? If yes, specify date: _____

10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

☐ YES ☐ NO (If yes, name and address of association or group).

11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

BRIDGEWATER ASSOCIATES, LP

Charged Party

and

(b) (6), (b) (7)(C) AN INDIVIDUAL

Charging Party

Case 01-CA-169426

AFFIDAVIT OF SERVICE OF LETTER & CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on February 10, 2016, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

David McCormick
Bridgewater Associates, LP
1 Glendinning Place
Westport, CT 06880-1242

February 10, 2016

Date

Barry Ponder, Designated Agent of NLRB

Name

Barry Ponder

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 34
450 Main St Ste 410
Hartford, CT 06103-3078

Agency Website: www.nlrb.gov
Telephone: (860)240-3522
Fax: (860)240-3564



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February 10, 2016

Scott Grubin
Wigdor LLP
85 5th Ave Fl 5
New York, NY 10003-3019

Re: Bridgewater Associates, LP
Case 01-CA-169426

Dear Mr. Grubin:

The charge that you filed in this case on February 10, 2016 has been docketed as case number **01-CA-169426**. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney ALAN MERRIMAN whose telephone number is (860)240-4980. If this Board agent is not available, you may contact Supervisory Attorney THOMAS E. QUIGLEY whose telephone number is (860)240-3375.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

February 10, 2016

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Michael C. Cass". The signature is written in a cursive, flowing style.

MICHAEL C. CASS
Officer in Charge

cc:

(b) (6), (b) (7)(C)

A large black rectangular redaction box covering several lines of text in the distribution list.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

<p>BRIDGEWATER ASSOCIATES, LP</p> <p style="text-align: right;">Charged Party</p> <p style="text-align: center;">and</p> <p>(b) (6), (b) (7)(C)</p> <p style="text-align: right;">AN INDIVIDUAL</p> <p style="text-align: right;">Charging Party</p>	<p>Case 01-CA-169426</p>
--	---------------------------------

AFFIDAVIT OF SERVICE OF LETTER & CHARGE AGAINST EMPLOYER

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David McCormick
Bridgewater Associates, LP
1 Glendinning Place
Westport, CT 06880-1242

February 10, 2016
Date

Barry Ponder, Designated Agent of NLRB
Name

Barry Ponder
Signature

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
AMENDED CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**Case
01-CA-169426Date Filed
June 23, 2016**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Bridgewater Associates, LP		b. Tel. No. 203.226.3030
d. Address (Street, city, state, and ZIP code) 1 Glendinning Place Westport, CT 06880		c. Cell No.
e. Employer Representative David McCormick		f. Fax No.
i. Type of Establishment (factory, mine, wholesaler, etc.) Hedge Fund		g. e-Mail
j. Identify principal product or service Institutional Asset Management		h. Number of workers employed 1100

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (4) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

On about (b) (6), (b) (7)(C) 2016, the Employer suspended its employee, (b) (6), (b) (7)(C) in retaliation for (b) (6), (b) (7)(C) threat to file a charge with the Board.

In the preceding 6 month period prior to the filing of this charge, and continuing, the Employer has violated the Act by maintaining unlawfully overbroad work rules.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)

4a. Address (Street and number, city, state, and ZIP code)

(b) (6), (b) (7)(C)

4b. Tel. No. (b) (6), (b) (7)(C)

4c. Cell No.

4d. Fax No.

4e. e-Mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)**6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Tel. No. (212) 257-6800

Office, if any, Cell No.

Fax No.

e-Mail
sgrubin@wigdorlaw.comBy 
(signature of representative or person making charge)Scott Grubin, Attorney
(Print type name and title or office, if any)

Address Wigdor LLP, 85 Fifth Ave, 5th FL, New York, NY 10003

6/23/16
(date)**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)****PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 34
450 Main St Ste 410
Hartford, CT 06103-3078

Agency Website: www.nlrb.gov
Telephone: (860)240-3522
Fax: (860)240-3564



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June 23, 2016

David McCormick
Bridgewater Associates, LP
1 Glendinning Pl
Westport, CT 06880-1242

Re: Bridgewater Associates, LP
Case 01-CA-169426

Dear Mr. McCormick:

Enclosed is a copy of the first amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Attorney ALAN MERRIMAN whose telephone number is (860)240-4980. If the agent is not available, you may contact Supervisory Attorney THOMAS E. QUIGLEY whose telephone number is (860)240-3375.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Procedures: Your right to representation, the means of presenting evidence, and a description of our procedures, including how to submit documents, was described in the letter sent to you with the original charge in this matter. If you have any questions, please contact the Board agent.

Very truly yours,

JOHN J. WALSH, JR.
Regional Director

A handwritten signature in black ink that reads "Michael C. Cass". The signature is written in a cursive, flowing style.

By:
MICHAEL C. CASS
Officer in Charge

Enclosure: Copy of first amended charge

cc: Patricia A. Dunn, ESQ.
Jones Day
51 Louisiana Ave NW
Washington, DC 20001-2113

Willis J. Goldsmith, ESQ.
Jones Day
222 E 41st St
New York, NY 10017-6702

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

BRIDGEWATER ASSOCIATES, LP

Charged Party

and

(b) (6), (b) (7)(C) AN INDIVIDUAL

Charging Party

Case 01-CA-169426

AFFIDAVIT OF SERVICE OF FIRST AMENDED LETTER & CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on June 23, 2016, I served the above-entitled document(s) by fax and/or regular mail upon the following persons, addressed to them at the following addresses:

David McCormick
Bridgewater Associates, LP
1 Glendinning Pl
Westport, CT 06880-1242

Willis J. Goldsmith, ESQ.
Jones Day
222 E 41st St
New York, NY 10017-6702

Patricia A. Dunn, ESQ.
Jones Day
51 Louisiana Ave NW
Washington, DC 20001-2113

June 23, 2016

Date

Barry Ponder, Designated Agent of NLRB

Name

Barry Ponder

Signature



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June 23, 2016

Scott Grubin
Wigdor LLP
85 5th Ave, 5th Floor
New York, NY 10003-3019

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Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

Procedures: Your right to representation, the means of presenting evidence, and a description of our procedures, including how to submit documents, was described in the letter sent to you with the original charge in this matter. If you have any questions, please contact the Board agent.

June 23, 2016

Very truly yours,

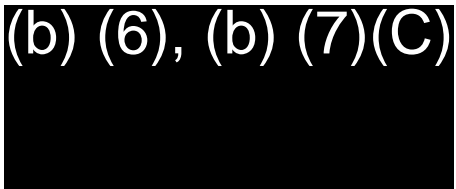
JOHN J. WALSH, JR.
Regional Director

A handwritten signature in black ink that reads "Michael C. Cass". The signature is written in a cursive, flowing style.

By:

MICHAEL C. CASS
Officer in Charge

cc: (b) (6), (b) (7)(C)

A large black rectangular redaction box covering the majority of the text in the "cc:" line.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

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Hartford, CT 06103-3078

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June 23, 2016

David McCormick
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Very truly yours,

JOHN J. WALSH, JR.
Regional Director

A handwritten signature in black ink that reads "Michael C. Cass". The signature is written in a cursive, flowing style.

By:
MICHAEL C. CASS
Officer in Charge

Enclosure: Copy of first amended charge

cc: Patricia A. Dunn, ESQ.
Jones Day
51 Louisiana Ave NW
Washington, DC 20001-2113

Willis J. Goldsmith, ESQ.
Jones Day
222 E 41st St
New York, NY 10017-6702

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

BRIDGEWATER ASSOCIATES, LP

Charged Party

and

(b) (6), (b) (7)(C)

AN INDIVIDUAL

Charging Party

Case 01-CA-169426

AFFIDAVIT OF SERVICE OF FIRST AMENDED LETTER & CHARGE AGAINST EMPLOYER

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David McCormick
Bridgewater Associates, LP
1 Glendinning Pl
Westport, CT 06880-1242

Willis J. Goldsmith, ESQ.
Jones Day
222 E 41st St
New York, NY 10017-6702

Patricia A. Dunn, ESQ.
Jones Day
51 Louisiana Ave NW
Washington, DC 20001-2113

June 23, 2016

Date

Barry Ponder, Designated Agent of NLRB

Name

Barry Ponder

Signature

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Bridgewater Associates, LP

and

(b) (6), (b) (7)(C)

CASE 01-CA-167815 and 01-CA-169426

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF _____

Respondent Bridgewater Associates, LP

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☐ REPRESENTATIVE IS AN ATTORNEY

☒ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)


NAME: Patricia A. Dunn

MAILING ADDRESS: Jones Day, 51 Louisiana Avenue NW, Washington, DC 20001-2113

E-MAIL ADDRESS: pdunn@jonesday.com

OFFICE TELEPHONE NUMBER: 202-879-5425

CELL PHONE NUMBER: _____ FAX: 202-626-1700

SIGNATURE: 
(Please sign in ink.)

DATE: 2/12/16

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Bridgewater Associates, LP

and

(b) (6), (b) (7)(C)

CASE 01-CA-167815 and 01-CA-169426

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF _____

Respondent Bridgewater Associates, LP

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☐ REPRESENTATIVE IS AN ATTORNEY

☒ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Willis J. Goldsmith

MAILING ADDRESS: Jones Day, 222 East 41st Street, New York, NY 10017-6702

E-MAIL ADDRESS: wgoldsmith@jonesday.com

OFFICE TELEPHONE NUMBER: 212-326-3649

CELL PHONE NUMBER: _____ FAX: 212-755-7306

SIGNATURE: Willis J. Goldsmith (b) (6), (b) (7)(C)
(Please sign in ink.)

DATE: 2/17/15

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
SUBREGION 34**

BRIDGEWATER ASSOCIATES, LP

and

(b) (6), (b) (7)(C)

AN INDIVIDUAL

Case 01-CA-169426

COMPLAINT AND NOTICE OF HEARING

This Complaint and Notice of Hearing is based on a charge filed by (b) (6), (b) (7)(C), an Individual. It is issued pursuant to Section 10(b) of the National Labor Relations Act, 29 U.S.C. § 151 et seq. (the Act), and Section 102.15 of the Rules and Regulations of the National Labor Relations Board (the Board), and alleges that Bridgewater Associates, LP (Respondent) has violated the Act as described below:

1(a) The charge in this matter was filed by (b) (6), (b) (7)(C) on February 10, 2016, and a copy was served by facsimile transmission and regular mail on Respondent on February 10, 2016.

(b) The amended charge in this proceeding was filed by (b) (6), (b) (7)(C) on June 23, 2016, and a copy was served by facsimile transmission and regular mail on Respondent on June 23, 2016.

2. At all material times, Respondent, a corporation with an office and place of business located in Westport, Connecticut, has been engaged in the operation of an investment firm.

3. During the 12-month period ending May 31, 2016, Respondent, in conducting its operations described above in paragraph 2, performed services valued in excess of \$50,000 at its Westport, Connecticut facility for customers and clients located outside the State of Connecticut.

4. At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6) and (7) of the Act.

5. At all material times, the following individuals held the positions set forth opposite their respective names and have been supervisors of Respondent within the meaning of Section 2(11) of the Act, and agents of Respondent within the meaning of Section 2(13) of the Act:

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) 6. At all material times, Respondent has maintained the following rules in Employment Agreement:

- a) Under "**Confidentiality of Employment Agreement**" (page 3): The rule stating that "You agree that the terms of your employment with Bridgewater are confidential. "
- b) Under "**Confidential Information & Proprietary Information**" (pages 4, 5): The rules stating that " 'Confidential Information' means any non-public information relating to the business or affairs of Bridgewater or its affiliates, or any existing or former officer, director, employee or shareholder of Bridgewater. " and prohibits the distribution of "employee lists and employees' compensation and management's compensation", which includes "Bridgewater's organizational structure (including the allocation of responsibilities and general construction of Bridgewater's departments, businesses, subsidiaries and the employees assigned to them)"
- c) Under "**Confidential Information & Proprietary Information**" (page 5): The rule stating that: "For the avoidance of doubt, your obligation not to disclose or use Bridgewater's Confidential Information without prior authorization applies in all contexts, industries and businesses. This includes, but is not limited to, "any media business, outlets, or other endeavors that publish, broadcast, distribute, or otherwise disseminate information in any format, including but not limited to books, newspapers, magazines, journals, websites, blogs, social media outlets, television and radio stations, and streaming media outlets."
- d) Under "**Confidential Information & Proprietary Information**" (page 6): The rule stating that "You also may not. .disparage Bridgewater and/or its present or former affiliates, directors, officers, shareholders, employees or clients, whether directly or indirectly, in any manner

whatsoever (whether related to the business of Bridgewater or otherwise) except as required by law."

- e) Under "**Severability, Governing Law, Mediation and Arbitration**" (page 8): The rules stating that " .you agree to submit all such claims to binding arbitration on an individual basis. " and " .you hereby waive any right to bring on behalf of persons other than yourself, or to otherwise participate with other persons in: any class action, collective action; or representative action."

7. About (b) (6), (b) (7)(C) 2016, Respondent indefinitely suspended its employee (b) (6), (b) (7)(C)

8. Respondent engaged in the conduct described above in paragraph 7 because (b) (6), (b) (7)(C) threatened to file a charge with the Board.

9. By the conduct described above in paragraph 6, Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.

10. By the conduct described above in paragraphs 7 and 8, Respondent has been discriminating against employees for filing charges or giving testimony under the Act, in violation of Section 8(a)(1) and (4) of the Act.

11. The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

SPECIAL REMEDIES

As part of the remedy for the unfair labor practices alleged above in paragraphs 7, 8, and 10, the General Counsel seeks an Order requiring that Respondent reimburse (b) (6), (b) (7)(C) for all search-for-work and work-related expenses regardless of whether (b) (6), (b) (7)(C) received interim earnings in excess of those expenses, or at all, during any calendar quarter, or during the overall backpay period. The General Counsel further seeks all other relief as may be just and proper to remedy the unfair labor practices alleged, including an order requiring that (b) (6), (b) (7)(C) be made whole, including reasonable consequential damages incurred as a result of the Respondent's unlawful conduct.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the complaint. The answer must be **received by this office on or before July 14, 2016 or postmarked on or before July 13, 2016**. Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically by using the E-Filing system on the Agency's website. In order to file an answer electronically, access the Agency's website at <http://www.nlr.gov>, click on **E-Gov**, then click on the **E-Filing** link on the pull-down menu. Click on the "File Documents" button under "Regional, Subregional and Resident Offices" and then follow the directions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. A failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. When an answer is filed electronically, an original and four paper copies must be sent to this office so that it is received no later than three (3) business days after the date of electronic filing.

Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT on **October 4, 2016, at 10:00 a.m.** at the **A.A. Ribicoff Federal Building, 450 Main Street, Suite 410, Hartford, Connecticut**, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding has the right to appear and present testimony regarding the allegations in this complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated: June 30, 2016

John J. Walsh, Jr.
Regional Director
National Labor Relations Board
Region 01 – Subregion 34

By: 

Michael C. Cass, Officer-in-Charge
National Labor Relations Board
Subregion 34
A.A. Ribicoff Federal Building
450 Main Street, Suite 410
Hartford, CT 06103

Attachments

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
SUBREGION 34**

BRIDGEWATER ASSOCIATES, LP

and

(b) (6), (b) (7)(C) AN INDIVIDUAL

Case 01-CA-169426

AFFIDAVIT OF SERVICE OF: Complaint and Notice of Hearing (with forms NLRB-4338 and NLRB-4668 attached)

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on **June 30, 2016**, I served the above-entitled document(s) by **certified or regular mail**, as noted below, upon the following persons, addressed to them at the following addresses:

David McCormick
Bridgewater Associates, LP
1 Glendinning Pl.
Westport, CT 06880-1242
**CERTIFIED MAIL, RETURN
RECEIPT REQUESTED**

Patricia A. Dunn , Esq.
Jones Day
51 Louisiana Ave. NW
Washington, DC 20001-2113
REGULAR MAIL

Willis J. Goldsmith , Esq.
Jones Day
222 E 41st St.
New York, NY 10017-6702
REGULAR MAIL

(b) (6), (b) (7)(C)

Scott Grubin
Wigdor, LLP
85 5th Ave., Fl 5
New York, NY 10003-3019
REGULAR MAIL

June 30, 2016

Date

Barry Ponder, Designated Agent of NLRB

Name

Barry Ponder

Signature

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
NOTICE

Case 01-CA-169426

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end.

An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing. However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements ***will not be granted*** unless good and sufficient grounds are shown ***and*** the following requirements are met:

- (1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).
- (2) Grounds must be set forth in ***detail***;
- (3) Alternative dates for any rescheduled hearing must be given;
- (4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; and
- (5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

David McCormick
Bridgewater Associates, LP
1 Glendinning Pl.
Westport, CT 06880-1242

Patricia A. Dunn , Esq.
Jones Day
51 Louisiana Ave. NW
Washington, DC 20001-2113

Willis J. Goldsmith , Esq.
Jones Day
222 E 41st St.
New York, NY 10017-6702

(b) (6), (b) (7)(C)

Scott Grubin
Wigdor, LLP
85 5th Ave., Fl 5
New York, NY 10003-3019

Procedures in NLRB Unfair Labor Practice Hearings

The attached complaint has scheduled a hearing that will be conducted by an administrative law judge (ALJ) of the National Labor Relations Board who will be an independent, impartial finder of facts and applicable law. **You may be represented at this hearing by an attorney or other representative.** If you are not currently represented by an attorney, and wish to have one represent you at the hearing, you should make such arrangements as soon as possible. A more complete description of the hearing process and the ALJ's role may be found at Sections 102.34, 102.35, and 102.45 of the Board's Rules and Regulations. The Board's Rules and regulations are available at the following link: www.nlr.gov/sites/default/files/attachments/basic-page/node-1717/rules_and_regs_part_102.pdf.

The NLRB allows you to file certain documents electronically and you are encouraged to do so because it ensures that your government resources are used efficiently. To e-file go to the NLRB's website at www.nlr.gov, click on "e-file documents," enter the 10-digit case number on the complaint (the first number if there is more than one), and follow the prompts. You will receive a confirmation number and an e-mail notification that the documents were successfully filed.

Although this matter is set for trial, this does not mean that this matter cannot be resolved through a settlement agreement. The NLRB recognizes that adjustments or settlements consistent with the policies of the National Labor Relations Act reduce government expenditures and promote amity in labor relations and encourages the parties to engage in settlement efforts.

I. BEFORE THE HEARING

The rules pertaining to the Board's pre-hearing procedures, including rules concerning filing an answer, requesting a postponement, filing other motions, and obtaining subpoenas to compel the attendance of witnesses and production of documents from other parties, may be found at Sections 102.20 through 102.32 of the Board's Rules and Regulations. In addition, you should be aware of the following:

- **Special Needs:** If you or any of the witnesses you wish to have testify at the hearing have special needs and require auxiliary aids to participate in the hearing, you should notify the Regional Director as soon as possible and request the necessary assistance. Assistance will be provided to persons who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603.
- **Pre-hearing Conference:** One or more weeks before the hearing, the ALJ may conduct a telephonic prehearing conference with the parties. During the conference, the ALJ will explore whether the case may be settled, discuss the issues to be litigated and any logistical issues related to the hearing, and attempt to resolve or narrow outstanding issues, such as disputes relating to subpoenaed witnesses and documents. This conference is usually not recorded, but during the hearing the ALJ or the parties sometimes refer to discussions at the pre-hearing conference. You do not have to wait until the prehearing conference to meet with the other parties to discuss settling this case or any other issues.

II. DURING THE HEARING

The rules pertaining to the Board's hearing procedures are found at Sections 102.34 through 102.43 of the Board's Rules and Regulations. Please note in particular the following:

- **Witnesses and Evidence:** At the hearing, you will have the right to call, examine, and cross-examine witnesses and to introduce into the record documents and other evidence.
- **Exhibits:** Each exhibit offered in evidence must be provided in duplicate to the court reporter and a copy of each of each exhibit should be supplied to the ALJ and each party when the exhibit is offered

in evidence. If a copy of any exhibit is not available when the original is received, it will be the responsibility of the party offering such exhibit to submit the copy to the ALJ before the close of hearing. If a copy is not submitted, and the filing has not been waived by the ALJ, any ruling receiving the exhibit may be rescinded and the exhibit rejected.

- **Transcripts:** An official court reporter will make the only official transcript of the proceedings, and all citations in briefs and arguments must refer to the official record. The Board will not certify any transcript other than the official transcript for use in any court litigation. Proposed corrections of the transcript should be submitted, either by way of stipulation or motion, to the ALJ for approval. Everything said at the hearing while the hearing is in session will be recorded by the official reporter unless the ALJ specifically directs off-the-record discussion. If any party wishes to make off-the-record statements, a request to go off the record should be directed to the ALJ.
- **Oral Argument:** You are entitled, on request, to a reasonable period of time at the close of the hearing for oral argument, which shall be included in the transcript of the hearing. Alternatively, the ALJ may ask for oral argument if, at the close of the hearing, if it is believed that such argument would be beneficial to the understanding of the contentions of the parties and the factual issues involved.
- **Date for Filing Post-Hearing Brief:** Before the hearing closes, you may request to file a written brief or proposed findings and conclusions, or both, with the ALJ. The ALJ has the discretion to grant this request and to will set a deadline for filing, up to 35 days.

III. AFTER THE HEARING

The Rules pertaining to filing post-hearing briefs and the procedures after the ALJ issues a decision are found at Sections 102.42 through 102.48 of the Board's Rules and Regulations. Please note in particular the following:

- **Extension of Time for Filing Brief with the ALJ:** If you need an extension of time to file a post-hearing brief, you must follow Section 102.42 of the Board's Rules and Regulations, which requires you to file a request with the appropriate chief or associate chief administrative law judge, depending on where the trial occurred. You must immediately serve a copy of any request for an extension of time on all other parties and furnish proof of that service with your request. You are encouraged to seek the agreement of the other parties and state their positions in your request.
- **ALJ's Decision:** In due course, the ALJ will prepare and file with the Board a decision in this matter. Upon receipt of this decision, the Board will enter an order transferring the case to the Board and specifying when exceptions are due to the ALJ's decision. The Board will serve copies of that order and the ALJ's decision on all parties.
- **Exceptions to the ALJ's Decision:** The procedure to be followed with respect to appealing all or any part of the ALJ's decision (by filing exceptions with the Board), submitting briefs, requests for oral argument before the Board, and related matters is set forth in the Board's Rules and Regulations, particularly in Section 102.46 and following sections. A summary of the more pertinent of these provisions will be provided to the parties with the order transferring the matter to the Board.

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
SUBREGION 34**

BRIDGEWATER ASSOCIATES, LP

and

(b) (6), (b) (7)(C) AN INDIVIDUAL

Case No. 01-CA-169426

**BRIDGEWATER ASSOCIATES, LP'S ANSWER AND DEFENSES TO COMPLAINT
AND NOTICE OF HEARING**

Respondent Bridgewater Associates, LP ("Bridgewater"), by and through its undersigned counsel and in Answer to the Complaint and Notice of Hearing ("Complaint") issued by the Regional Director of Region 1 – Sub-Region 34, states as follows:

To the extent that an answer is required to the unnumbered paragraph at the outset of the Complaint, Bridgewater admits that the General Counsel has issued the instant Complaint based on charges filed by **(b) (6), (b) (7)(C)** Bridgewater expressly denies that it has engaged in unfair labor practices in violation of the National Labor Relations Act, 29 U.S.C. § 151, *et seq.* (the "Act"), denies any remaining allegations or legal conclusions contained in the introductory paragraph, and requests that the Complaint and Notice of Hearing be dismissed.

1. Bridgewater admits the allegations contained in Paragraph 1(a) of the Complaint, except is without knowledge or information sufficient to form a belief as to the truth of when the charge was filed. Bridgewater admits the allegations contained in Paragraph 1(b) of the Complaint, except is without knowledge or information sufficient to form a belief as to the truth of when the amended charge was filed.

2. Bridgewater admits the allegations contained in Paragraph 2 of the Complaint except denies that Bridgewater is a corporation and states that it is a limited partnership.

3. Bridgewater admits the allegations contained in Paragraph 3 of the Complaint.

4. Bridgewater admits the allegations contained in Paragraph 4 of the Complaint.

5. Bridgewater admits that, at all times relevant to the allegations in the Complaint,

(b) (6), (b) (7)(C) held the positions set forth

opposite their respective names in Paragraph 5 of the Complaint, and each of them was a supervisor within the meaning of Section 2(11) of the National Labor Relations Act, but denies the remainder of the allegations contained in Paragraph 5 of the Complaint.

6. Bridgewater admits that Paragraph 6(a), 6(b), 6(c), 6(d), and 6(e) of the

Complaint purport to reference or quote isolated provisions of an employment agreement that

(b) (6), (b) (7)(C) signed. Bridgewater denies the remaining allegations in Paragraph 6 of the Complaint and denies that the provisions of (b) (6), (b) (7)(C) executive employment agreement constitute "rules" that Bridgewater "maintained."

7. Bridgewater denies the allegations contained in Paragraph 7 of the Complaint, except admits that it placed (b) (6), (b) (7)(C) on a fully-paid leave of absence on or about (b) (6), (b) (7)(C) 2016.

8. Bridgewater denies the allegations contained in Paragraph 8 of the Complaint.

9. Bridgewater denies the allegations contained in Paragraph 9 of the Complaint.

10. Bridgewater denies the allegations contained in Paragraph 10 of the Complaint.

11. Bridgewater denies the allegations contained in Paragraph 11 of the Complaint.

Bridgewater denies that any of the relief or special remedies listed on Page 3 of the Complaint or any other relief or remedies are warranted.

Any allegations in the Complaint that are not specifically and expressly admitted in this Answer are denied.

DEFENSES

FIRST DEFENSE

The Complaint fails to state a claim for which relief can be granted.

SECOND DEFENSE

The National Labor Relations Board ("NLRB") lacks jurisdiction to grant relief because (b) (6), (b) (7)(C) is a supervisor within the meaning of Section 2(11) of the Act.

THIRD DEFENSE

The provisions of Bridgewater's employment agreement with (b) (6), (b) (7)(C) referred to in Paragraph 6 of the Complaint are lawful under the Act and applicable NLRB precedent. *See, e.g., Lutheran Heritage Village-Livonia*, 343 NLRB 646, 646-47 (2004); *Lafayette Park Hotel*, 326 NLRB 824, 825 (1998), *enf'd* 203 F.3d 52 (D.C. Cir. 1999).

FOURTH DEFENSE

Bridgewater's employment agreement with (b) (6), (b) (7)(C) was not adopted to prohibit, and has not been applied to prohibit, the exercise of any Section 7 rights, and employees in the financial services industry, including (b) (6), (b) (7)(C) would not reasonably construe the provisions of Bridgewater's employment agreement as prohibiting the exercise of Section 7 rights.

FIFTH DEFENSE

Bridgewater's employment agreement with (b) (6), (b) (7)(C) is based on legitimate business reasons and, read properly in context, all of the provisions in (b) (6), (b) (7)(C) employment agreement are tailored specifically to protecting Bridgewater's legitimate business concerns, including confidentiality interests that are unique to the financial services industry, and none of the provisions in the employment agreement prohibits the exercise of Section 7 rights.

SIXTH DEFENSE

The confidentiality provisions in Bridgewater's employment agreement with (b) (6), (b) (7)(C) read in context, do not violate the Act, as protecting confidential and proprietary information is fundamental to providing client services in the financial services industry and is, in some instances, required by law or regulation.

SEVENTH DEFENSE

The non-disparagement provision in Bridgewater's employment agreement, read in context, does not violate the Act, as it lawfully prohibits disparagement of Bridgewater's clients, products and services.

EIGHTH DEFENSE

The arbitration provision in Bridgewater's employment agreement with (b) (6), (b) (7)(C) does not violate the Act, and the Complaint's challenge to the arbitration provision is contrary to law, including the Federal Arbitration Act and the National Labor Relations Act. *See, e.g., Murphy Oil USA, Inc. v. NLRB*, 808 F.3d 1013 (5th Cir. 2015); *D.R. Horton v. NLRB*, 737 F.3d 344 (5th Cir. 2013); *Walthour v. Chipio Windshield Repair, LLC*, 745 F.3d 1326 (11th Cir. 2014); *Richards v. Ernst & Young, LLP*, 744 F.3d 1072 (9th Cir. 2013); *Sutherland v. Ernst & Young LLP*, 726 F.3d 290 (2d Cir. 2013); *Owen v. Bristol Care, Inc.*, 702 F.3d 1050 (8th Cir. 2013).

NINTH DEFENSE

(b) (6), (b) (7)(C) voluntarily entered into (b) (6), (b) (7)(C) employment agreement, including the arbitration provision, in return for a high six-figure salary plus bonus entitlement.

TENTH DEFENSE

Bridgewater at all times acted in good faith and did not interfere with, restrain, or coerce (b) (6), (b) (7)(C) in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.

ELEVENTH DEFENSE

The Complaint fails to state a claim for discrimination or retaliation because there was no “adverse action” against (b) (6), (b) (7)(C) and no causal connection between (b) (6), (b) (7)(C) lawyer’s threat to file an unfair labor practice charge and (b) (6), (b) (7)(C) placement on paid leave for legitimate business reasons.

TWELFTH DEFENSE

Even if the General Counsel could establish a prima case of discrimination or retaliation, Bridgewater had legitimate reasons for putting (b) (6), (b) (7)(C) on paid leave and would have made the same decision regardless of any protected activities under the Act.

THIRTEENTH DEFENSE

The “Special Remedies” section of the Complaint seeks relief, including consequential damages, that exceeds the scope of the National Labor Relations Board’s authority under the Act.

FOURTEENTH DEFENSE

The Complaint seeks relief that is speculative.

FIFTEENTH DEFENSE

The “Special Remedies” section of the Complaint seeks relief that does not further the remedial purposes of the Act, including damages for a very highly-paid employee who continues to receive a six-figure salary plus bonus entitlement while on paid leave.

SIXTEENTH DEFENSE

(b) (6), (b) (7)(C) has failed to mitigate (b) (6), (b) (7)(C) damages, if any.

SEVENTEENTH DEFENSE

To the extent that any of the allegations set forth in the Complaint are based upon acts or occurrences that were not within the scope of a timely unfair labor practice charge, these allegations are barred by Section 10(b) of the Act.

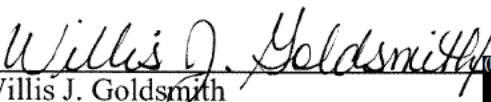
EIGHTEENTH DEFENSE

The facts that will be adduced at the hearing establish that, at all material times, Bridgewater complied with all of its obligations under the Act.

WHEREFORE, Bridgewater, having fully answered the Complaint and Notice of Hearing, respectfully requests that the General Counsel's Complaint be dismissed in its entirety.

Dated: July 13, 2016

Respectfully submitted,


Willis J. Goldsmith (b) (6), (b) (7)(C)
JONES DAY
250 Vesey Street
New York, New York 10281
Telephone: (212) 326-3939
Facsimile: (212) 755-7306
wgoldsmith@jonesday.com

Patricia A. Dunn
JONES DAY
51 Louisiana Avenue, N.W.
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pdunn@jonesday.com

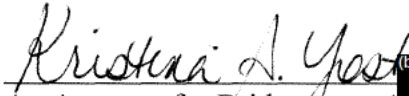
*Attorneys for Respondent Bridgewater
Associates, LP*

CERTIFICATE OF SERVICE

The undersigned, an attorney admitted to practice before the Courts of the State of New York, affirms under penalty of perjury that on July 13, 2016, she caused a true and correct copy of Bridgewater Associates, LP's Answer and Defenses to Complaint and Notice of Hearing to be served upon counsel for the parties by first-class mail in a postage-prepaid, properly addressed envelope at the following addresses designated for this purpose:

Scott Grubin
Wigdor, LLP
85 5th Avenue, Fl 5
New York, New York 10003-3019

Michael C. Cass, Officer-in-Charge
National Labor Relations Board
Subregion 34
A.A. Ribicoff Federal Building
450 Main Street, Suite 410
Hartford, CT 06103


An Attorney for Bridgewater Associates, LP

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
SUBREGION 34**

BRIDGEWATER ASSOCIATES, LP

and

(b) (6), (b) (7)(C) , AN INDIVIDUAL

Case 01-CA-169426

ORDER RESCHEDULING HEARING

IT IS HEREBY ORDERED that the hearing in the above-entitled matter is rescheduled from October 4, 2016 to **December 6, 2016** at 10:00 AM at the A.A. Ribicoff Federal Building, 450 Main Street, Suite 410, Hartford, Connecticut. The hearing will continue on consecutive days until concluded.

Dated: September 8, 2016

John J. Walsh, Jr., Regional Director
National Labor Relations Board
Region 01

By:

/s/

Michael C. Cass, Officer-In-Charge
National Labor Relations Board
Subregion 34

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
SUBREGION 34**

BRIDGEWATER ASSOCIATES, LP

and

(b) (6), (b) (7)(C) , AN INDIVIDUAL

Case 01-CA-169426

AFFIDAVIT OF SERVICE OF ORDER RESCHEDULING HEARING

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on **September 8, 2016**, I served the above-entitled document(s) by **fax, electronic mail, and/or regular mail** upon the following persons, addressed to them at the following addresses:

David McCormick
Bridgewater Associates, LP
1 Glendinning Pl
Westport, CT 06880-1242

Patricia A. Dunn, Esq.
Jones Day
51 Louisiana Ave NW
Washington, DC 20001-2113

Willis J. Goldsmith, Esq.
Jones Day
222 E 41st St
New York, NY 10017-6702

(b) (6), (b) (7)(C)

Scott Grubin
Wigdor LLP
85 5th Ave, 5th Floor
New York, NY 10003-3019

September 8, 2016

Date

Barry Ponder, Designated Agent of NLRB

Name

Barry Ponder

Signature

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
SUBREGION 34**

BRIDGEWATER ASSOCIATES, LP

and

Case 01-CA-169426

(b) (6), (b) (7)(C) , an Individual

**ORDER APPROVING WITHDRAWAL REQUEST, DISMISSING
COMPLAINT, AND WITHDRAWING NOTICE OF HEARING**

A Complaint and Notice of Hearing issued in the above-captioned matter on June 30, 2016. Thereafter, the Charging Party requested withdrawal of the charge based upon a private agreement between the parties. Having duly considered the request for withdrawal,

IT IS ORDERED that the request to withdraw the charge is approved, conditioned on the performance of the undertakings in the private agreement between the parties. The charge is subject to reinstatement for further processing if the Charging Party requests reinstatement and supports its request with evidence of non-compliance with the undertakings in the private agreement.

IT IS FURTHER ORDERED that the Complaint is dismissed and the Notice of Hearing is withdrawn.

Dated: October 28, 2016

John J. Walsh, Jr., Regional Director
National Labor Relations Board
Region 01, By

/S/

Michael C. Cass, Officer-In-Charge
National Labor Relations Board
Subregion 34

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
SUBREGION 34**

BRIDGEWATER ASSOCIATES, LP

and

Case 01-CA-169426

(b) (6), (b) (7)(C), an Individual

**AFFIDAVIT OF SERVICE OF: Order Approving Withdrawal Request, Dismissing
Complaint, and Withdrawing Notice of Hearing.**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on **October 28, 2016**, I served the above-entitled document(s) by email or regular mail upon the following persons, addressed to them at the following addresses:

Mr. David McCormick
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sgrubin@wigdorlaw.com

October 28, 2016

Date

Elizabeth C. Person, Designated Agent of NLRB

Name

Signature